

REFERENCE TITLE: amusement rides; insurance; regulation

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2499

Introduced by
Representatives Nelson, Mason, Senators Brotherton, Leff

AN ACT

AMENDING TITLE 20, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 22; RELATING
TO AMUSEMENT RIDE REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, Arizona Revised Statutes, is amended by adding
3 chapter 22, to read:

4 CHAPTER 22

5 REGULATION OF AMUSEMENT RIDES

6 ARTICLE 1. GENERAL PROVISIONS

7 20-3201. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTENT OTHERWISE REQUIRES:

9 1. "AMUSEMENT RIDE" MEANS A MECHANICAL DEVICE THAT CARRIES PASSENGERS
10 ALONG, AROUND OR OVER A FIXED OR RESTRICTED COURSE OR WITHIN A DEFINED AREA
11 FOR THE PURPOSE OF GIVING THE PASSENGERS AMUSEMENT, PLEASURE OR
12 EXCITEMENT. AMUSEMENT RIDE DOES NOT INCLUDE:

13 (a) A COIN-OPERATED RIDE THAT:

14 (i) IS MANUALLY, MECHANICALLY OR ELECTRICALLY OPERATED.

15 (ii) IS CUSTOMARILY PLACED IN A PUBLIC LOCATION.

16 (iii) DOES NOT NORMALLY REQUIRE THE SUPERVISION OR SERVICES OF AN
17 OPERATOR.

18 (b) NONMECHANIZED PLAYGROUND EQUIPMENT, INCLUDING A SWING, SEESAW,
19 STATIONARY SPRING-MOUNTED ANIMAL FEATURE, RIDER-PROPELLED MERRY-GO-ROUND,
20 CLIMBER, PLAYGROUND SLIDE, TRAMPOLINE OR PHYSICAL FITNESS DEVICE.

21 2. "CLASS A AMUSEMENT RIDE" MEANS AN AMUSEMENT RIDE WITH A FIXED
22 LOCATION DESIGNED PRIMARILY FOR USE BY CHILDREN YOUNGER THAN THIRTEEN YEARS
23 OF AGE.

24 3. "CLASS B AMUSEMENT RIDE" MEANS AN AMUSEMENT RIDE THAT IS NOT A
25 CLASS A AMUSEMENT RIDE.

26 4. "DEPARTMENT" MEANS THE DEPARTMENT OF INSURANCE OF THIS STATE.

27 5. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

28 6. "MOBILE AMUSEMENT RIDE" MEANS AN AMUSEMENT RIDE THAT IS DESIGNED OR
29 ADAPTED TO BE MOVED FROM ONE LOCATION TO ANOTHER AND THAT IS NOT FIXED AT A
30 SINGLE LOCATION.

31 20-3202. Powers and duties of department: fees: information
32 request

33 A. THE DIRECTOR SHALL ADMINISTER AND ENFORCE THIS CHAPTER.

34 B. THE DIRECTOR SHALL ESTABLISH REASONABLE AND NECESSARY FEES, IN AN
35 AMOUNT NOT TO EXCEED FORTY DOLLARS PER YEAR, FOR EACH AMUSEMENT RIDE COVERED
36 BY THIS CHAPTER.

37 C. AN AMUSEMENT RIDE THAT CONSISTS OF TWO OR MORE SELF-PROPELLED,
38 FOUR-WHEELED VEHICLES DESIGNED TO BE OPERATED INDEPENDENTLY AND TO CARRY
39 FEWER THAN THREE PERSONS, INCLUDING GO-CARTS, IS A SINGLE AMUSEMENT RIDE.

40 D. THE DEPARTMENT MAY REQUEST INFORMATION FROM A SPONSOR, LESSOR,
41 LANDOWNER OR OTHER PERSON RESPONSIBLE FOR AN AMUSEMENT RIDE BEING OFFERED FOR
42 USE BY THE PUBLIC CONCERNING WHETHER INSURANCE REQUIRED BY THIS CHAPTER IS IN
43 EFFECT ON THAT AMUSEMENT RIDE. THE PERSON SHALL RESPOND TO THE INFORMATION
44 REQUEST NOT LATER THAN THE FIFTEENTH DAY AFTER THE DATE THE REQUEST IS MADE.

20-3203. Requirements for operation of amusement rides

A. A PERSON MAY NOT OPERATE AN AMUSEMENT RIDE UNLESS THE PERSON HAS COMPLIED WITH ALL OF THE FOLLOWING:

1. HAD THE AMUSEMENT RIDE INSPECTED AT LEAST ONCE A YEAR BY AN INSURER OR A PERSON WITH WHOM THE INSURER HAS CONTRACTED.

2. OBTAINED A WRITTEN CERTIFICATE FROM THE INSURER OR PERSON WITH WHOM THE INSURER HAS CONTRACTED STATING THAT THE AMUSEMENT RIDE:

(a) HAS BEEN INSPECTED.

(b) MEETS THE STANDARDS FOR INSURANCE COVERAGE.

(c) IS COVERED BY THE INSURANCE REQUIRED BY THIS SUBSECTION.

3. HAS AN INSURANCE POLICY CURRENTLY IN EFFECT WRITTEN BY AN INSURANCE COMPANY AUTHORIZED TO DO BUSINESS IN THIS STATE OR BY A SURPLUS LINES INSURER, OR HAS AN INDEPENDENTLY PROCURED POLICY INSURING THE OWNER OR OPERATOR AGAINST LIABILITY FOR INJURY TO PERSONS ARISING OUT OF THE USE OF THE AMUSEMENT RIDE IN AN AMOUNT OF AT LEAST:

(a) ONE HUNDRED THOUSAND DOLLARS PER OCCURRENCE WITH A THREE HUNDRED THOUSAND DOLLAR ANNUAL AGGREGATE FOR CLASS A AMUSEMENT RIDES.

(b) ONE MILLION DOLLARS PER OCCURRENCE FOR CLASS B AMUSEMENT RIDES.

4. FILED WITH THE DIRECTOR, AS REQUIRED BY THIS CHAPTER, THE INSPECTION CERTIFICATE AND THE INSURANCE POLICY OR A PHOTOCOPY OF THE CERTIFICATE OR POLICY AUTHORIZED BY THE DIRECTOR.

5. FILED WITH EACH SPONSOR, LESSOR, LANDOWNER OR OTHER PERSON RESPONSIBLE FOR THE AMUSEMENT RIDE BEING OFFERED FOR USE BY THE PUBLIC A PHOTOCOPY OF THE INSPECTION CERTIFICATE AND THE INSURANCE POLICY REQUIRED BY THIS SECTION.

B. THE INSPECTION CERTIFICATE AND THE INSURANCE POLICY MUST BE FILED WITH THE DEPARTMENT BEFORE JULY 1 OF EACH YEAR, EXCEPT THAT IF AN AMUSEMENT RIDE IS INSPECTED MORE THAN ONCE A YEAR, THE INSPECTION CERTIFICATE MUST BE FILED NOT LATER THAN THE FIFTEENTH DAY AFTER THE DATE OF EACH INSPECTION.

20-3204. Inspection requirements; rules; records inspection

A. THE INSPECTION REQUIRED BY SECTION 20-3203 SHALL TEST FOR STRESS-RELATED AND WEAR-RELATED DAMAGE OF THE CRITICAL PARTS OF A RIDE THAT THE MANUFACTURER OF THE AMUSEMENT RIDE DETERMINES:

1. ARE REASONABLY SUBJECT TO FAILURE AS THE RESULT OF STRESS AND WEAR.

2. COULD CAUSE INJURY TO A MEMBER OF THE PUBLIC AS A RESULT OF A FAILURE.

B. IF AT ANY TIME THE INSPECTION REVEALS THAT AN AMUSEMENT RIDE DOES NOT MEET THE INSURER'S UNDERWRITING STANDARDS, THE INSURER SHALL NOTIFY THE OWNER OR OPERATOR.

C. IF REPAIR OR REPLACEMENT OF EQUIPMENT IS REQUIRED, THE OWNER OR OPERATOR SHALL MAKE THE REPAIR OR INSTALL THE REPLACEMENT EQUIPMENT BEFORE THE AMUSEMENT RIDE IS OFFERED FOR PUBLIC USE.

D. THE DIRECTOR SHALL ADOPT RULES REQUIRING OPERATORS OF MOBILE AMUSEMENT RIDES TO PERFORM INSPECTIONS OF MOBILE AMUSEMENT RIDES, INCLUDING RULES REQUIRING DAILY INSPECTIONS OF SAFETY RESTRAINTS.

1 E. RULES ADOPTED UNDER THIS SECTION MAY APPLY TO SPECIFIC RIDES OF
2 SPECIFIC MANUFACTURERS.

3 F. THE DIRECTOR SHALL PRESCRIBE FORMS FOR INSPECTIONS REQUIRED UNDER
4 THIS SECTION AND SHALL REQUIRE RECORDS OF THE INSPECTIONS TO BE MADE
5 AVAILABLE FOR INSPECTION BY ANY MUNICIPALITY, COUNTY OR STATE LAW ENFORCEMENT
6 OFFICIAL AT ANY LOCATION AT WHICH AN AMUSEMENT RIDE IS OPERATED.

7 20-3205. Required records of governmental actions

8 A. A PERSON WHO OPERATES AN AMUSEMENT RIDE IN THIS STATE SHALL
9 MAINTAIN ACCURATE RECORDS OF ANY GOVERNMENTAL ACTION TAKEN IN ANY STATE
10 RELATING TO THAT PARTICULAR AMUSEMENT RIDE, INCLUDING AN INSPECTION RESULTING
11 IN THE REPAIR OR REPLACEMENT OF EQUIPMENT USED IN THE OPERATION OF THE
12 AMUSEMENT RIDE.

13 B. THE OPERATOR SHALL FILE WITH THE DIRECTOR QUARTERLY A REPORT, ON A
14 FORM PRESCRIBED BY THE DIRECTOR, DESCRIBING EACH GOVERNMENTAL ACTION TAKEN IN
15 THE QUARTER COVERED BY THE REPORT FOR WHICH THE OPERATOR IS REQUIRED BY
16 SUBSECTION A OF THIS SECTION TO MAINTAIN RECORDS. A REPORT IS NOT REQUIRED
17 IN ANY QUARTER IN WHICH NO REPORTABLE GOVERNMENTAL ACTION WAS TAKEN IN ANY
18 STATE IN WHICH THE PERSON OPERATED THE AMUSEMENT RIDE.

19 C. A PERSON WHO OPERATES AN AMUSEMENT RIDE SHALL MAINTAIN FOR AT LEAST
20 TWO YEARS AT ANY LOCATION WHERE THE RIDE IS OPERATED, FOR INSPECTION BY A
21 MUNICIPAL, COUNTY OR STATE LAW ENFORCEMENT OFFICIAL, A PHOTOCOPY OF ANY
22 QUARTERLY REPORT REQUIRED UNDER THIS SECTION OR SECTION 20-3206 TO BE FILED
23 WITH THE DIRECTOR.

24 20-3206. Injury reports; definition

25 A. A PERSON OPERATING AN AMUSEMENT RIDE SHALL MAINTAIN ACCURATE
26 RECORDS OF EACH INJURY CAUSED BY THE RIDE THAT RESULTS IN DEATH OR REQUIRES
27 MEDICAL TREATMENT.

28 B. THE OPERATOR SHALL FILE AN INJURY REPORT WITH THE DIRECTOR ON A
29 QUARTERLY BASIS. THE REPORT SHALL BE MADE ON A FORM PRESCRIBED BY THE
30 DIRECTOR AND SHALL INCLUDE A DESCRIPTION OF EACH INJURY CAUSED BY A RIDE THAT
31 RESULTS IN DEATH OR REQUIRES MEDICAL TREATMENT.

32 C. IF NO REPORTABLE INJURIES OCCUR IN A QUARTER, THE OPERATOR IS NOT
33 REQUIRED TO FILE AN INJURY REPORT.

34 D. FOR THE PURPOSES OF THIS SECTION, "MEDICAL TREATMENT" INCLUDES
35 TREATMENT ADMINISTERED BY A PHYSICIAN OR BY REGISTERED PROFESSIONAL PERSONNEL
36 UNDER THE STANDING ORDERS OF A PHYSICIAN. MEDICAL TREATMENT DOES NOT INCLUDE
37 FIRST-AID TREATMENT OR THE ONETIME TREATMENT AND SUBSEQUENT OBSERVATION OF
38 MINOR SCRATCHES, CUTS, BURNS, SPLINTERS AND OTHER MINOR INJURIES THAT DO NOT
39 ORDINARILY REQUIRE MEDICAL CARE, EVEN IF THE TREATMENT IS PROVIDED BY A
40 PHYSICIAN OR REGISTERED PROFESSIONAL PERSONNEL.

41 20-3207. Access to rides; signage requirements; minimum
42 standards; rules

43 A. AN OWNER OR OPERATOR OF AN AMUSEMENT RIDE MAY DENY ENTRY TO THE
44 RIDE TO ANY PERSON IF, IN THE OWNER'S OR OPERATOR'S OPINION, THE ENTRY MAY
45 JEOPARDIZE THE SAFETY OF THE PERSON OR OF OTHER AMUSEMENT RIDE PATRONS.

1 B. THE DIRECTOR SHALL ADOPT RULES REQUIRING THAT A SIGN BE POSTED TO
2 INFORM THE PUBLIC HOW TO REPORT AN AMUSEMENT RIDE THAT APPEARS TO BE UNSAFE
3 OR TO REPORT AN AMUSEMENT RIDE OPERATOR WHO APPEARS TO BE VIOLATING THE LAW.

4 C. AN AMUSEMENT RIDE COVERED BY THIS CHAPTER THAT IS SOLD, MAINTAINED
5 OR OPERATED IN THIS STATE SHALL COMPLY WITH STANDARDS ESTABLISHED BY THE
6 AMERICAN SOCIETY OF TESTING AND MATERIALS AS OF MAY 1, 1999. THOSE STANDARDS
7 ARE MINIMUM STANDARDS. TO THE EXTENT THAT THE STANDARDS OF THE AMERICAN
8 SOCIETY OF TESTING AND MATERIALS CONFLICT WITH THE REQUIREMENTS OF THIS
9 CHAPTER, THE MORE STRINGENT REQUIREMENT OR STANDARD APPLIES.

10 20-3208. Injunction; inspection of amusement ride

11 A. THE COUNTY ATTORNEY OF A COUNTY IN WHICH AN AMUSEMENT RIDE IS
12 OPERATED OR, ON REQUEST OF THE DIRECTOR, THE ATTORNEY GENERAL MAY SEEK AN
13 INJUNCTION AGAINST A PERSON OPERATING AN AMUSEMENT RIDE IN VIOLATION OF THIS
14 CHAPTER OR IN VIOLATION OF A RULE ADOPTED BY THE DIRECTOR.

15 B. A MUNICIPAL, COUNTY OR STATE LAW ENFORCEMENT OFFICIAL MAY DETERMINE
16 COMPLIANCE WITH ANY PROVISION OF SECTION 20-3203 THROUGH 20-3206 AND SECTION
17 20-3207, SUBSECTIONS B AND C IN CONJUNCTION WITH THE DIRECTOR AND MAY
18 INSTITUTE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO ENFORCE THIS
19 CHAPTER.

20 C. A MUNICIPAL, COUNTY OR STATE LAW ENFORCEMENT OFFICIAL MAY ENTER AND
21 INSPECT WITHOUT NOTICE ANY AMUSEMENT RIDE AT ANY TIME TO ENSURE PUBLIC
22 SAFETY.

23 D. THE OPERATOR OF AN AMUSEMENT RIDE SHALL IMMEDIATELY PROVIDE THE
24 INSPECTION CERTIFICATE AND THE INSURANCE POLICY REQUIRED BY SECTION 20-3203
25 TO A MUNICIPAL, COUNTY OR STATE LAW ENFORCEMENT OFFICIAL REQUESTING THE
26 INFORMATION. A PHOTOCOPY OF THE INSPECTION CERTIFICATE OR INSURANCE POLICY
27 MAY BE PROVIDED INSTEAD OF THE CERTIFICATE OR POLICY.

28 E. PERFORMANCE OR NONPERFORMANCE BY A MUNICIPAL, COUNTY OR STATE LAW
29 ENFORCEMENT OFFICIAL OF ANY ACTION AUTHORIZED BY THIS CHAPTER IS A
30 DISCRETIONARY ACT.

31 20-3209. Prohibition of amusement ride operation

32 A. EXCEPT AS PROVIDED BY SUBSECTION E OF THIS SECTION, A MUNICIPAL,
33 COUNTY OR STATE LAW ENFORCEMENT OFFICIAL MAY IMMEDIATELY PROHIBIT OPERATION
34 OF AN AMUSEMENT RIDE IF:

35 1. THE OPERATOR OF THE AMUSEMENT RIDE IS UNABLE TO PROVIDE THE
36 DOCUMENTS OR A PHOTOCOPY OF THE DOCUMENTS REQUIRED BY SECTION 20-3203.

37 2. THE LAW ENFORCEMENT OFFICIAL REASONABLY BELIEVES THE AMUSEMENT RIDE
38 IS NOT IN COMPLIANCE WITH SECTION 20-3203.

39 3. THE OPERATION OF THE AMUSEMENT RIDE, CONDUCT OF A PERSON OPERATING
40 THE AMUSEMENT RIDE, CONDUCT OF A PERSON ASSEMBLING THE AMUSEMENT RIDE IF IT
41 IS A MOBILE AMUSEMENT RIDE OR ANY OTHER CIRCUMSTANCE CAUSES THE LAW
42 ENFORCEMENT OFFICIAL TO REASONABLY BELIEVE THAT THE AMUSEMENT RIDE IS UNSAFE
43 OR THE SAFETY OF A PASSENGER ON THE AMUSEMENT RIDE IS THREATENED.

1 B. IF THE OPERATION OF AN AMUSEMENT RIDE IS PROHIBITED UNDER
2 SUBSECTION A, PARAGRAPH 1 OR 2 OF THIS SECTION, A PERSON MAY NOT OPERATE THE
3 AMUSEMENT RIDE UNLESS EITHER:

4 1. THE OPERATOR PRESENTS TO THE APPROPRIATE MUNICIPAL, COUNTY OR STATE
5 LAW ENFORCEMENT OFFICIAL PROOF OF COMPLIANCE WITH SECTION 20-3203.

6 2. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE DETERMINES THAT ON THE DATE
7 THE AMUSEMENT RIDE'S OPERATION WAS PROHIBITED THE OPERATOR HAD ON FILE WITH
8 THE DIRECTOR THE DOCUMENTS REQUIRED BY SECTION 20-3203 AND ISSUES A WRITTEN
9 STATEMENT PERMITTING THE AMUSEMENT RIDE TO RESUME OPERATION.

10 C. IF ON THE DATE AN AMUSEMENT RIDE'S OPERATION IS PROHIBITED UNDER
11 SUBSECTION A, PARAGRAPH 3 OF THIS SECTION THE AMUSEMENT RIDE IS NOT IN
12 COMPLIANCE WITH SECTION 20-3203, A PERSON MAY NOT OPERATE THE AMUSEMENT RIDE
13 UNTIL AFTER THE PERSON SUBSEQUENTLY COMPLIES WITH SECTION 20-3202.

14 D. IF ON THE DATE AN AMUSEMENT RIDE'S OPERATION IS PROHIBITED UNDER
15 SUBSECTION A, PARAGRAPH 3 OF THIS SECTION THE AMUSEMENT RIDE IS IN COMPLIANCE
16 WITH SECTION 20-3203, A PERSON MAY NOT OPERATE THE AMUSEMENT RIDE UNTIL
17 EITHER:

18 1. ON-SITE CORRECTIONS ARE MADE.

19 2. AN ORDER FROM A JUDGE OF A COURT OF COMPETENT JURISDICTION PERMITS
20 THE AMUSEMENT RIDE TO RESUME OPERATION.

21 3. AN INSURANCE COMPANY INSURING THE AMUSEMENT RIDE ON THE DATE THE
22 AMUSEMENT RIDE'S OPERATION WAS PROHIBITED:

23 (a) REINSPECTS THE AMUSEMENT RIDE IN THE SAME MANNER REQUIRED BY
24 SECTION 20-3203.

25 (b) DELIVERS TO THE DIRECTOR OR THE DIRECTOR'S DESIGNEE AND THE
26 APPROPRIATE LAW ENFORCEMENT OFFICIAL A REINSPECTION CERTIFICATE:

27 (i) STATING THAT THE REQUIRED REINSPECTION HAS OCCURRED.

28 (ii) STATING THAT THE AMUSEMENT RIDE MEETS COVERAGE STANDARDS AND IS
29 COVERED BY INSURANCE IN COMPLIANCE WITH SECTION 20-3203.

30 (iii) EXPLAINING THE NECESSARY REPAIRS, IF ANY, THAT HAVE BEEN MADE TO
31 THE AMUSEMENT RIDE AFTER ITS OPERATION WAS PROHIBITED.

32 E. SUBSECTION A OF THIS SECTION DOES NOT APPLY TO AN AMUSEMENT RIDE
33 WITH A FIXED LOCATION THAT WAS OPERATED AT AN AMUSEMENT PARK ATTENDED BY MORE
34 THAN TWO HUNDRED THOUSAND CUSTOMERS IN THE YEAR PRECEDING THE INSPECTION
35 UNDER SECTION 20-3208.

36 20-3210. Prohibition of mobile amusement ride operation

37 A. EXCEPT AS PROVIDED BY SUBSECTION B OR C OF THIS SECTION, A MOBILE
38 AMUSEMENT RIDE ON WHICH A DEATH OCCURS MAY NOT BE OPERATED.

39 B. IF A MOBILE AMUSEMENT RIDE WAS IN COMPLIANCE WITH SECTION 20-3203
40 WHEN ITS OPERATION WAS INITIALLY PROHIBITED UNDER SUBSECTION A OF THIS
41 SECTION, A PERSON MAY RESUME OPERATING THE MOBILE AMUSEMENT RIDE ONLY AFTER
42 AN INSURANCE COMPANY INSURING THE AMUSEMENT RIDE ON THE DATE ITS OPERATION
43 WAS PROHIBITED:

44 1. REINSPECTS THE AMUSEMENT RIDE IN THE SAME MANNER REQUIRED UNDER
45 SECTION 20-3203.

1 2. DELIVERS TO THE DIRECTOR OR THE DIRECTOR'S DESIGNEE A REINSPECTION
2 CERTIFICATE:

3 (a) STATING THAT THE REQUIRED REINSPECTION HAS OCCURRED.

4 (b) STATING THAT THE AMUSEMENT RIDE MEETS COVERAGE STANDARDS AND IS
5 COVERED BY INSURANCE IN COMPLIANCE WITH SECTION 20-3203.

6 (c) EXPLAINING THE NECESSARY REPAIRS, IF ANY, THAT HAVE BEEN MADE TO
7 THE AMUSEMENT RIDE AFTER ITS OPERATION WAS PROHIBITED.

8 C. IF A MOBILE AMUSEMENT RIDE WAS NOT IN COMPLIANCE WITH SECTION
9 20-3203 WHEN ITS OPERATION WAS INITIALLY PROHIBITED UNDER SUBSECTION A OF
10 THIS SECTION, A PERSON MAY RESUME OPERATING THE MOBILE AMUSEMENT RIDE ONLY
11 AFTER THE PERSON SUBSEQUENTLY COMPLIES WITH SECTION 20-3203.

12 20-3211. Relief from prohibition order

13 THE OWNER OR OPERATOR OF THE AMUSEMENT RIDE MAY FILE SUIT FOR RELIEF
14 FROM A PROHIBITION UNDER SECTION 20-3209 OR 20-3210 IN THE SUPERIOR COURT IN
15 THE COUNTY IN WHICH THE AMUSEMENT RIDE WAS LOCATED WHEN THE PROHIBITION
16 AGAINST OPERATION OCCURRED.

17 20-3212. Violations; classification

18 A. A PERSON VIOLATES THIS CHAPTER IF THE PERSON FAILS TO COMPLY WITH
19 ANY REQUIREMENT OF:

20 1. SECTION 20-3203, 20-3204, 20-3206, 20-3209, SUBSECTION B, C OR D OR
21 SECTION 20-3210, SUBSECTION A.

22 2. A RULE ADOPTED BY THE DIRECTOR PURSUANT TO THIS CHAPTER.

23 B. A PERSON VIOLATES THIS CHAPTER IF THE PERSON:

24 1. IS A SPONSOR, LESSOR, LANDOWNER OR OTHER PERSON RESPONSIBLE FOR AN
25 AMUSEMENT RIDE BEING OFFERED FOR USE BY THE PUBLIC.

26 2. DOES NOT PROVIDE THE INFORMATION REQUIRED UNDER SECTION 20-3202,
27 SUBSECTION D OR PROVIDES FALSE INFORMATION UNDER SECTION 20-3202,
28 SUBSECTION D.

29 C. EACH DAY A VIOLATION OF THIS CHAPTER IS COMMITTED CONSTITUTES A
30 SEPARATE OFFENSE.

31 D. THE PROSECUTING ATTORNEY IN A CASE IN WHICH A PERSON IS CONVICTED
32 OF AN OFFENSE UNDER THIS SECTION SHALL REPORT THE OFFENSE TO THE DEPARTMENT
33 NOT LATER THAN NINETY DAYS AFTER THE DATE OF THE CONVICTION.

34 E. A PERSON WHO VIOLATES THIS CHAPTER IS GUILTY OF A CLASS 2
35 MISDEMEANOR.

36 Sec. 2. Requirements for enactment; two-thirds vote

37 Pursuant to article IX, section 22, Constitution of Arizona, this act
38 is effective only on the affirmative vote of at least two-thirds of the
39 members of each house of the legislature and is effective immediately on the
40 signature of the governor or, if the governor vetoes this act, on the
41 subsequent affirmative vote of at least three-fourths of the members of each
42 house of the legislature.